

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.: 2:23-cv-04131-AB-AGR

Date: October 16, 2023

Title: *Star Fabrics Inc v. Ruelala Inc. et al*

Present: The Honorable **ANDRÉ BIROTTE JR., United States District Judge**

Carla Badirian

N/A

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Appearing

None Appearing

**Proceedings: [In Chambers] ORDER TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED FOR LACK OF  
PROSECUTION**

The Court set a Scheduling Conference for October 20, 2023. *See* Order (Dkt. No. 17). The Order requires the parties to file a Joint Rule 26(f) Report by 14 days before the scheduling conference. *See* Order § I. As of the date of this order, no report has been filed, nor have the parties filed anything indicating why no report has been filed. The Scheduling Conference is therefore **VACATED**.

Although all parties—and the Court—are responsible for the timely progress of a case, a plaintiff, as the party who filed an action, bears the primary responsibility for ensuring compliance with deadlines that apply to them. The Court therefore **ORDERS** Plaintiff to show cause why this case should not be dismissed for lack of prosecution given the parties' failure to file a Joint Rule 26(f) Report. An appropriate response may be a Notice of Settlement, or a declaration explaining why the Joint Rule 26(f) Report was not filed along with a Stipulation of the parties and a Proposed Order to reset the Scheduling Conference. The Court

informs the parties that it usually enters scheduling orders based on the Joint Rule 26(f) Report without conducting a conference with counsel.

**Plaintiff's Response must be filed by November 2, 2023. If no response is filed by that date, the case will be dismissed without further notice.**

**IT IS SO ORDERED.**